

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60862 of 2021

Arising Out of PS. Case No.-158 Year-2021 Thana- SHAHKUND District- Bhagalpur

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DHARMENDRA KUMAR S/o Ajay Kumar Singh @ Ajay Prasad Singh
Resident of Village- Hajipur, P.S.- Sakhund (Sajour), District- Bhagalpur.
... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Ms.Namrata Mishra
For the Opposite Party/s : Mr.Ram Sumiran Rai

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 20-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner, who is in custody since 19.08.2021,
seeks regular bail in connection with Sakhund (Sajour) P.S.
Case No. 158 of 2021 for the offence punishable under Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in brief, is that altogether 100
bottles, each containing 375 ML, total 37.5 litres, 20 bottles,
each containing 750 ML, total 15 litres of Indian Made Foreign
Liquor and six litres of country made liquor were recovered
from the house of the petitioner. However, petitioner managed



to escape from there. Accordingly, seizure-list was prepared.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. He further submits that at the time of seizure, the petitioner was not present in his house. He further submits that nothing has been recovered from the possession of the petitioner and he has no concerned with the alleged recovered illicit liquor.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.1,00,000/- (Rs. One Lakh) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-II-cum-Special Judge, Excise Act, Bhagalpur in connection with Sahkund (Sajour) P.S. Case No. 158 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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